



Short Term Lodging Rights & Responsibilities

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License Supervisor

949-644-3148

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What We Will Cover

- Business Tax
- Short Term Lodging Permit
- Transient Occupancy Tax
- Disturbance Advisement Cards (DACS)
- LUGO's (Loud Unruly Gathering Ordinance)
- Owner Responsibilities
- Agent Responsibilities

Purpose & Findings

MC § 5.95.005

- **Increasing number of tourists escalating demand for City services**
- **Majority of the rentals occur in the summer when the demand for parking and City services is greatest**
- **Effective way to minimize the problems associated with short term lodging units is to impose responsibility on the owner of the property.**

Business License Tax

MC § 5.04.020

MC § 5.04.105

- Short term lodging is considered business conduct.
- No person shall operate any business without first obtaining a business license.
- Your tax rate will be based on a residentially based business.
- Can I apply for an exemption, because I have two or less units?
- Exemptions are for renting two or less residential units and shall not apply to rental of units of short term lodging.

Short Term Lodging Permit Required

MC § 5.95.020

MC § 5.95.050

- **Short Term:**

Occupancy of a lodging unit for a period of thirty (30) consecutive days or less

- **Permit Required** No owner of a lodging unit located within a residential district shall rent that unit for a short term without a valid short term lodging permit. No permit shall be issued subsequent to June 1, 2004 to any dwelling unit on any parcel zoned for “Single-family Residential (R-1)” or is designated for single-family residential use as part of a Planned Community Development Plan, Specific Area Plan or Planned Residential District unless a permit has previously been issued for that dwelling unit and was not subsequently revoked.
- **Conditions:** Owner shall post a copy of the permit and a copy of the conditions in a conspicuous place within the unit

Short Term Lodging Permit

MC § 5.95.030



CITY OF NEWPORT BEACH
REVENUE DIVISION
3300 NEWPORT BOULEVARD • P.O. BOX 1768
NEWPORT BEACH, CA 92658-0913
(949) 644-3141
Revenuehelp@newportbeach.ca.gov

SHORT TERM LODGING PERMIT APPLICATION TRANSIENT OCCUPANCY TAX REGISTRATION

\$91.00 Fee. Make checks payable to the City of Newport Beach

OFFICE USE ONLY

BUSINESS NUMBER

UTOT LICENSE NO

Please list the address of each dwelling unit and fill out additional applications for each building you rent on a short term basis. *Note that you must be registered for Business License Tax before you engage in short term property leasing.* In the event of an emergency, the information you provide below will be used to expedite police and fire response and to contact you.

PROPERTY OWNER INFORMATION

Owner Name _____
Maximum 30 characters
Mailing Address _____ Suite _____
City: _____ State: _____ Zip: _____ Email: _____
Phone (____) _____ Emergency Phone (____) _____

SHORT TERM RENTAL PROPERTY INFORMATION

Building Address _____
Unit Addresses (eg. 1234 Main Street #A; 5678 1/2 Elm St; etc.) – if leasing more than one unit.
Please list your designation for each unit you rent in the structure listed above and the maximum number of overnight occupants you have authorized for each unit. Leave blank if renting only one unit in the building
Unit 1 _____ Maximum Occupants _____ Unit 3 _____ Maximum Occupants _____
Unit 2 _____ Maximum Occupants _____ Unit 4 _____ Maximum Occupants _____

AGENT INFORMATION

If the property is represented by an agent(s) or rental company(s), please complete the information below

Rental Company or Agent Name _____
Business Address _____ Suite _____
City: _____ State: _____ Zip: _____
Business Phone (____) _____
☐ My property is represented by more than one agent. List additional agents on a separate sheet of paper.

I hereby certify under the penalty of perjury that I am authorized to make this statement and the information provided on this application is true and correct.

Owner's Signature _____ Date _____

OFFICE USE ONLY

DATE _____ BUSINESS LICENSE NO. _____ USER INIT _____
UTOT SUB NUMBERS: UNIT 1 _____ UNIT 2 _____ UNIT 3 _____ UNIT 4 _____

Form A055S(a)

Rev 2009-09

Owner Information:

- Name and mailing address of the property owner.
- Owner's telephone and emergency number

Property Information:

- Identify the address of the rental property.
- List the number of the unit.(i.e. A,B,1/2)
- Include the maximum number of guests per unit.

Note:

Each short term rental property must complete a separate STLP form.

Agent Information:

- Name and mailing address of the property agent.
- Agents telephone and emergency number

Note:

This form is also used for the City to identify agents representing the property owners.



Short Term Lodging Permit (STLP) Requirements

- Business License (\$143)
- Short Term Lodging Permit (\$91)
- Remittance and Reporting of Uniform Transient Occupancy Tax (10%)

Who May Satisfy These Requirements?

- Business License- Owner
- Short Term Lodging Permit- Owner
- Remittance and Reporting of Uniform Transient Occupancy Tax- Owner **AND** Agent

Short Term Lodging Permit



CITY OF NEWPORT BEACH

REVENUE DIVISION

3300 Newport Blvd. • P.O. Box 1768
Newport Beach, CA 92658-8915
(949) 644-3141

RevenueHelp@City.Newport-Beach.ca.us

SHORT TERM LODGING PERMIT AND CONDITIONS

DETACH HERE

DISPLAY CONSPICUOUSLY AT SHORT TERM LODGING UNIT

CITY OF NEWPORT BEACH SHORT TERM LODGING PERMIT



CONDITIONS

This permit is subject to following conditions, as articulated in Municipal Code §5.95.050:

1. The owner shall limit overnight occupancy of the short-term lodging unit to a specified number of occupants, with the number of occupants not to exceed that permitted by the provisions of Title 15 of the Newport Beach Municipal Code.
2. The owner shall display conspicuously the following: contact information for a local responsible person 24/7; location of the units parking; day of the week for trash delivery; statement informing the tenant of the Disturbance Advisement process.
3. The owner shall use best efforts to insure that the occupants and/or guests of the short-term lodging unit do not create unreasonable noise or disturbances, engage in disorderly or violate provisions of this Code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.
4. The owner shall, upon notification that occupants and/or guests of his or her short-term lodging unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.
5. The owner of the short-term lodging unit shall use best efforts to insure compliance with all the provisions of Title 6 of the Municipal Code (Garbage, Refuse and Cuttings).
6. The owner of the short-term lodging unit shall post a copy of the permit and a copy of these conditions in a conspicuous place within the unit.
7. With respect to any short term lodging unit that is located in any Safety Enhancement Zone, the owner of the unit and any agent retained by the owner shall take immediate action during the period that the Safety Enhancement Zone is in effect to prevent occupants or guests from engaging in disorderly conduct or committing violations of this Code or State Law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs.

VIOLATION OF THESE CONDITIONS MAY RESULT IN REVOCATION OF THIS PERMIT AND THE PRIVILEGE OF RENTING OR LEASING THIS UNIT ON A SHORT TERM BASIS.

Form PD595

Rev 2011-044

- Expires every 2 years (January).
- It is the Owner's Responsibility to ensure that the permit is valid.
- Display conspicuously at Short Term Lodging Unit.

Conditions

MC § 5.95.050

- **Limit overnight occupancy**
- **The owner shall display in conspicuous place the following:**
 - Contact information for a local responsible person available 24/7;
 - Location of the units parking;
 - Day of the week for trash delivery;
 - Statement informing the tenant of the Disturbance Advisement process
- **Best efforts to insure that the occupants**
 - Do not create unreasonable noise or disturbances;
 - Engage in disorderly conduct:
 - Violate provisions of this code or State Law and prevent any reoccurrences;
 - Complaint with Title 6 (garbage & refuse)

Conditions (con't)

MC § 5.95.050

- **Post of copy of the Permit and copy of conditions**
- **Safety Enhancement Zone (7/4 12:01 a.m.-7/5 3:00 a.m.)**
 - the owner and agent shall take immediate action during the period the Safety Enhancement Zone is in effect to prevent occupants from engaging in disorderly conduct or committing violations of this code or State Law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs

Sample Posting

(SAMPLE POSTED NOTICE)

STREET ADDRESS

This Unit is used and permitted as a
SHORT-TERM LODGING

Responsible Person Contact Information. For questions, comments, or complaints about the use of this unit, contact:

FIRST LAST NAME
RENTAL AGENCY NAME (if applicable)
PHONE NUMBER #1 (office)
PHONE NUMBER #2 (cell phone)

Parking. Parking for individuals renting or visiting this unit is designated at:

- GARAGE (___ parking spaces)
- SIDE YARD SETBACK (___ parking spaces)
- CARPORT (___ parking spaces)

Refuse Collection. Trash collection for this unit is ONE/TWO time(s) a week on (circle one or more):

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

Information about the City's trash and refuse regulations can be found at:

<http://www.city.newport-beach.ca.us/GSV/GSRefuseDiv.asp>

It is the tenants' and manager's obligation to ensure that occupants comply with the City's refuse regulations.

Disturbing the Peace. Pursuant to NBMC §5.95.050(A)(2), "...occupants and/or guests of the short term lodging unit (shall) not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any State Law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs." Persons who violate Chapter 5.95 of the NBMC shall be subject to fines up to \$1,000, a revocation of the facility's lodging permit, and/or a misdemeanor.

WE ENCOURAGE YOU TO ENJOY YOUR STAY WITH US. HOWEVER, THE CITY OF NEWPORT BEACH TAKES ALL RESIDENTS' RIGHTS TO THE QUIET ENJOYMENT OF OUR COMMUNITY VERY SERIOUSLY. IF YOU, YOUR VISITORS, OR OTHER GUESTS ARE DISRUPTIVE OF THE COMMUNITY AND/OR IN VIOLATION OF CITY LAWS, YOU, YOUR VISITORS, AND OTHER GUESTS ARE SUBJECT TO CITATION, FINE, OR MORE SERIOUS PENALTIES.

If you have any questions about the City's codes, please see the City's website at www.city.newport-beach.ca.us or, on Monday through Friday, call the City's Code Enforcement Division at 949-644-3215, or the City Manager's Office at 949-644-3002.

For the Neighbors

- “Regarding non-emergency neighborhood disturbances at (PROPERTY ADDRESS), please call the NBPD’s non-emergency dispatch line (949-644-3717) or this property’s manager at (949) XXX-XXXX. In the event of an emergency, call 9-1-1.

VACATION RENTAL NEIGHBORHOOD NOTIFICATION EXAMPLE:

You manage the property at 210 Apolena as a vacation rental. We ask that you notify the following 12 addresses at the start of each vacation season:

212 Apolena
214 Apolena
215 Apolena
211 (and 211 1/2) Apolena
209 (and 209 1/2) Apolena

208 Apolena
206 Apolena
213 Amethyst
211 Amethyst
209 Amethyst



Which Neighbors to Notify

- Options:
Deliver business cards;
Mail;
E-Mail;
Your Newsletter

Enforcement of Short Term Lodging Units

- Inspectors conduct field discovery to ensure all properties are registered with a permit and have obtained a business license.
- Inspectors review websites to ensure registration
- Revenue Division takes public inquiries
- Notice will be sent to the owner if property is not registered or have not paid the tax.
- Non-compliance will result in one or more citations -- \$100, \$200, \$500.

Single Family Residence

R1 Zone

Planned Community Development Plan
Specific Area Plan or Planned Residential District

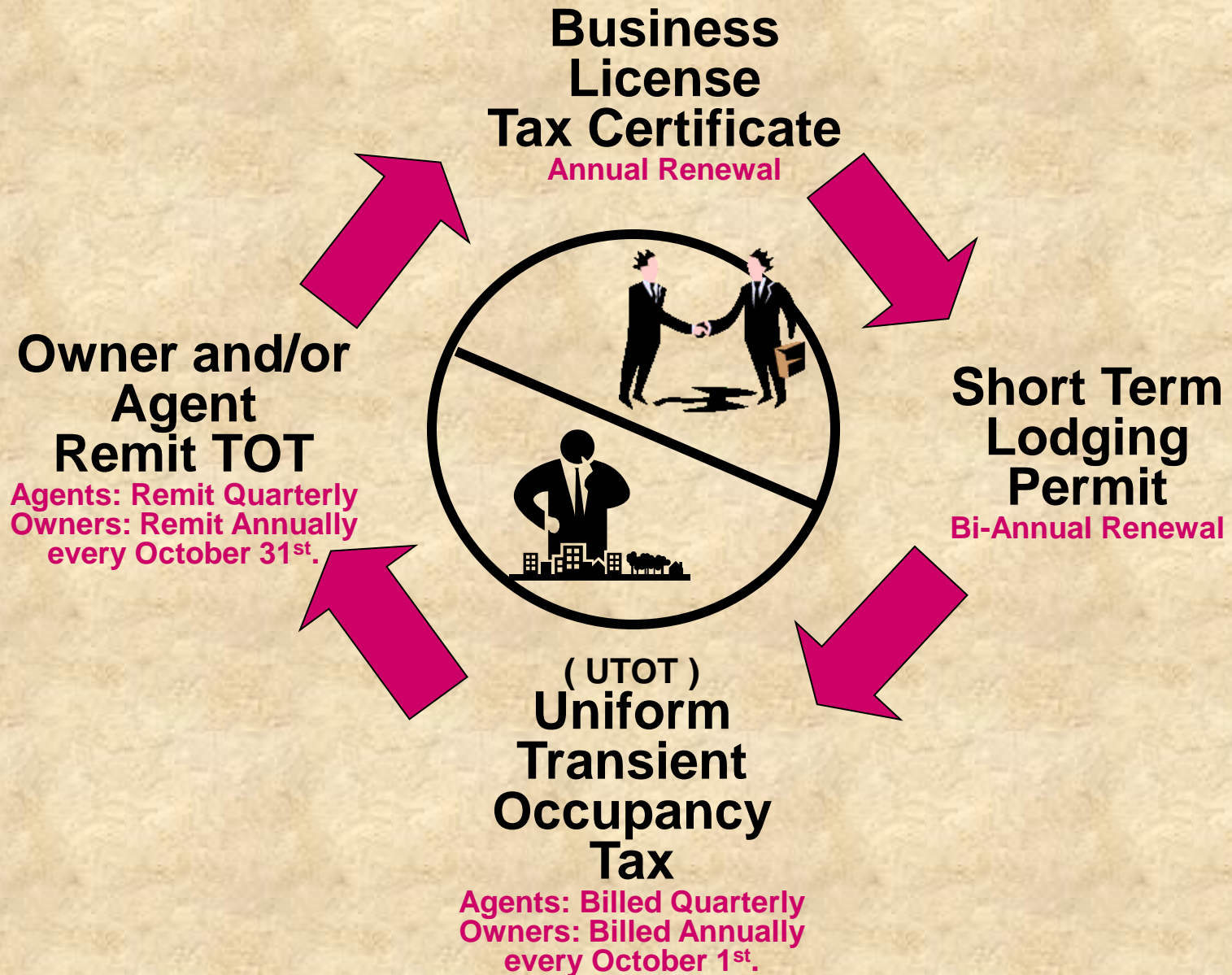
NBMC 5.95.020

- June 1, 2004, All properties were required to register and meet full compliance.
- Can you register now?
- Can a property be grandfathered?
- City will notify owner by correspondence if the property is prohibited from conducting short term rentals.

Agents Responsibilities

- Representing a new client?
 - Verify the zoning. Is property located in an R-1 Zone?
 - Has the property been previously permitted?
 - Verify the owners Business License Tax is valid
 - Verify the owner has a valid Short Term Lodging permit.
 - Notify the City-Revenue Division
 - Inform your clients of the annual and bi-annual requirements. Business Tax, Permit, Reporting the TOT form

STLP Cycle



Uniform Transient Occupancy Tax

NBMC 3.16

Each transient is subject to and shall pay a tax in the amount of ten percent (10%) of the rent charged by the operator

Short Term Lodging Increases City's Need For Services

- UTOT provides City funds for services (Fire, Police, Lifeguards, Libraries, Parks, Code Enforcement, more).

<i>(UTOT) Transient Tax</i>	9%
<i>+ Visitor Service Fee*</i>	<u>1%</u>
<i>Total UTOT Tax</i>	10%

***Newport Beach Conference & Visitor Bureau**

Provides information about the amenities of Newport Beach.




Operator

Reporting Requirements

M.C. §3.16.070

- On form prescribed by the city
 - Make a return of the total rents charged & received
 - Amount of tax collected for transient occupancy
 - Number of rental units on premises.
- Agent of the city shall have the right of access or to examine records

Uniform Transient Occupancy Tax

 CITY OF NEWPORT BEACH REVENUE DIVISION 1500 NEWPORT BLVD. - P.O. BOX 106, NEWPORT BEACH, CA 92658-0105 Contact the Revenue Division at (949) 664-9444 for assistance Or email us at rrevenue@cityofnewportbeach.ca.us		BUSINESS NUMBER LICENSE NUMBER INVOICE NUMBER DUE ON OR BEFORE																								
UNIFORM TRANSIENT OCCUPANCY TAX - REVISED FORM																										
STATEMENT DATE:	FOR REPORTING PERIOD	FROM TO																								
OWNERS ADDRESS:		PROPERTY ADDRESS:																								
<table border="1"> <tr> <td>TOTAL GROSS RENTAL RECEIPTS (collected by owner or non-reporting agent): <small>Include all rents collected for the reporting period stated above. (Less than 31 days)</small></td> <td>1</td> <td></td> </tr> <tr> <td>UTOT TAX AMOUNT: Multiply line 1 by 10% <small>(Includes 1% for funding of the Visitor Service Fee)</small></td> <td>2</td> <td></td> </tr> <tr> <td>PENALTY and INTEREST <small>Municipal Code § 16.070 requires penalties and interest be applied if the operator fails to remit the tax on or before due date.</small></td> <td>3a</td> <td></td> </tr> <tr> <td><small>If payment is made after DUE DATE, multiply line 2 by 10% If payment is made 30 days after DUE DATE, add lines 2 and 3a and multiply by 10%</small></td> <td>3b</td> <td></td> </tr> <tr> <td><small>Add lines 3a through 3b. TOTAL PENALTIES:</small></td> <td>3</td> <td></td> </tr> <tr> <td><small>INTEREST: Multiply line 2 by 1% % for each month or portion of a month that the tax remains unpaid exclusive of penalties.</small></td> <td>4</td> <td></td> </tr> <tr> <td>TOTAL AMOUNT DUE: Add lines 2 through 4.</td> <td>5</td> <td></td> </tr> <tr> <td colspan="3"> Please write "0" if: a) no taxable rent was collected by you, the owner b) your rental agent collects and remits all fees due to the City or c) your property was not rented for a short term basis during this period. </td> </tr> </table>			TOTAL GROSS RENTAL RECEIPTS (collected by owner or non-reporting agent): <small>Include all rents collected for the reporting period stated above. (Less than 31 days)</small>	1		UTOT TAX AMOUNT: Multiply line 1 by 10% <small>(Includes 1% for funding of the Visitor Service Fee)</small>	2		PENALTY and INTEREST <small>Municipal Code § 16.070 requires penalties and interest be applied if the operator fails to remit the tax on or before due date.</small>	3a		<small>If payment is made after DUE DATE, multiply line 2 by 10% If payment is made 30 days after DUE DATE, add lines 2 and 3a and multiply by 10%</small>	3b		<small>Add lines 3a through 3b. TOTAL PENALTIES:</small>	3		<small>INTEREST: Multiply line 2 by 1% % for each month or portion of a month that the tax remains unpaid exclusive of penalties.</small>	4		TOTAL AMOUNT DUE: Add lines 2 through 4.	5		Please write "0" if: a) no taxable rent was collected by you, the owner b) your rental agent collects and remits all fees due to the City or c) your property was not rented for a short term basis during this period.		
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<small>Municipal Code § 16.070 requires that each UTOT shall be completed and filed with the City of Newport Beach on or before the last day of the month following established reporting period. I declare under penalty of perjury under the law of the state of California that to the best of my knowledge the information provided herein is true and correct.</small>																										
OWNER NAME _____ SIGNATURE _____ DATE _____																										
MAKE CHECK PAYABLE TO: CITY OF NEWPORT BEACH																										

IMPORTANT NOTICE – PLEASE READ

To: Owners of Residential Rental Property

Re: Annual Uniform Transient Occupancy Tax Reporting for
Short Term Rentals- Less than 31 days

Period: October 1 2009 to September 30 2010

Enclosed is the reporting form for the property or properties that our records show as being owned by you.

This form is provided to the owners of residential properties on an annual basis and it is required that the owner fill out and return to the City of Newport Beach.

Please **do not** give this form to your realty agent. They have **already** been sent a reporting form for your property and are required to report **separately** from you.

While your rental agent may conduct most business for your property, they are not allowed to fill out and return the enclosed form for you.

- A reporting form is required for each rental property address owned.
- Owners that have agents handling all of their rental business, as well as the payment of City taxes, are still required to fill out the form and on line 8 insert "0".
- While most agents do remit the occupancy tax on rentals that they have handled for their clients, a few do not. If the realty agent does not pay the occupancy tax on your property, the responsibility falls to the owner to report and remit the correct amount.
- Any forms that reference a property you no longer own should be sent back to us with "no longer own" written on it. Please also reference the date that the house was sold.
- Each form **MUST** be returned to the City of Newport Beach.

Due Date: 10/19/2010:

- Forms **not** returned to the City will render the property non-compliant and could be issued an Administrative Citation.
- Penalties will be imposed and the short term lodging permit will be subject to revocation per Municipal Code 5.95

Municipal Code 3.16.070

Each operator shall, on a form provided by the City, make a return of the total rents charged and received, the amount of tax collected for transient occupancies and such other information as the Administrative Services Director may reasonably require. The return shall be made on or before the last day of the month following the close of each calendar quarter.
Returns are considered made and taxes paid only upon receipt of the tax return and the tax by the City.

If you have any questions regarding this letter or the attached form, please call 949.644.3141.

- The owner and/or agent shall collect, report and remit tax timely & accurately.
- Note any changes on the form (mailing address).
- Complete each line item on the form
- If exemptions are claimed, attached exemption form
- Late payments will be assessed penalties and interest
- Non-compliance can result in citation under NBMC 5.95.060(A)(4)

Records

M.C. §3.16.110

- Operator liable
 - Collection and payment
 - Keep and preserve for a period of not less than 4 years, all records necessary to determine the amount of tax the operator was required to pay
 - Maintain records at operator's premises or location convenient to Admin Services Director

Additional Records To Certify Revenue

- Monthly schedules and reconciliations
- Rental contracts and receipts by property
- Transient occupancy tax return worksheets used to prepare return

Audit Rights

M.C. §3.16.070B

- Each return shall be subject to audit and verification by the Administrative Services Director or authorized agent, who are authorized to examine, audit and inspect such books and records of any operator as may be necessary in their judgment to verify or ascertain the tax amount due

Records To Be Maintained

M.C. §3.16.110

- Daily revenue summaries by rental property
- A record of each occupancy charge for which exemption is claimed reasons for exemption
- All qualifying rental agreements

FAQ's-Billing

- Open quarterly package upon receipt to ensure all properties have a TOT form
- Ensure City receives quarterly payment before the 1st, otherwise penalties will be applied
- Payments can not be accepted and processed without the proper forms
- Do not make up a form, must be remitted on the form provided by the City

What if I have questions?

- Contact the Revenue Division (949)644-3141
- Visit our website

www.city.newport-beach.ca.us

- MC§5.95.005 Purpose & Findings
- MC§5.95.020 Permit Required
- MC§5.95.050 Conditions
- MC§5.95.030 Applicant for Permit
- MC§5.04.020 Business License Tax Required
- MC§5.04.105 Exemption of Residential Unit
- MC§3.16 Uniform Transient Occupancy Tax

Trash Pick-up

- Additional trash pick up starts June 25th
 - Balboa Peninsula trash pick-up 7/5; Balboa Island 7/7
 - No collection July 9th
 - Ends September 3rd
- Questions contact:
Refuse Superintendent
Keith Hinckley 949-718-3466
- Balboa Peninsula
Santa Ana River to Main; 8th -15th St between Bay & Balboa
 - Balboa Island STLP Properties
 - All revenue requirements for STLP properties must be compliant by June 3rd



Newport Beach Police Department

Lieutenant Bill Hartford
Investigator Dave Sanborn

Large Parties, Gatherings or Events

MC § 10.58.030

- No person shall promote, host, organize or otherwise allow a large party, gathering or event to occur on private property which is determined by a Police Officer to threaten the public peace, health, safety or general welfare of the neighborhood or surrounding community

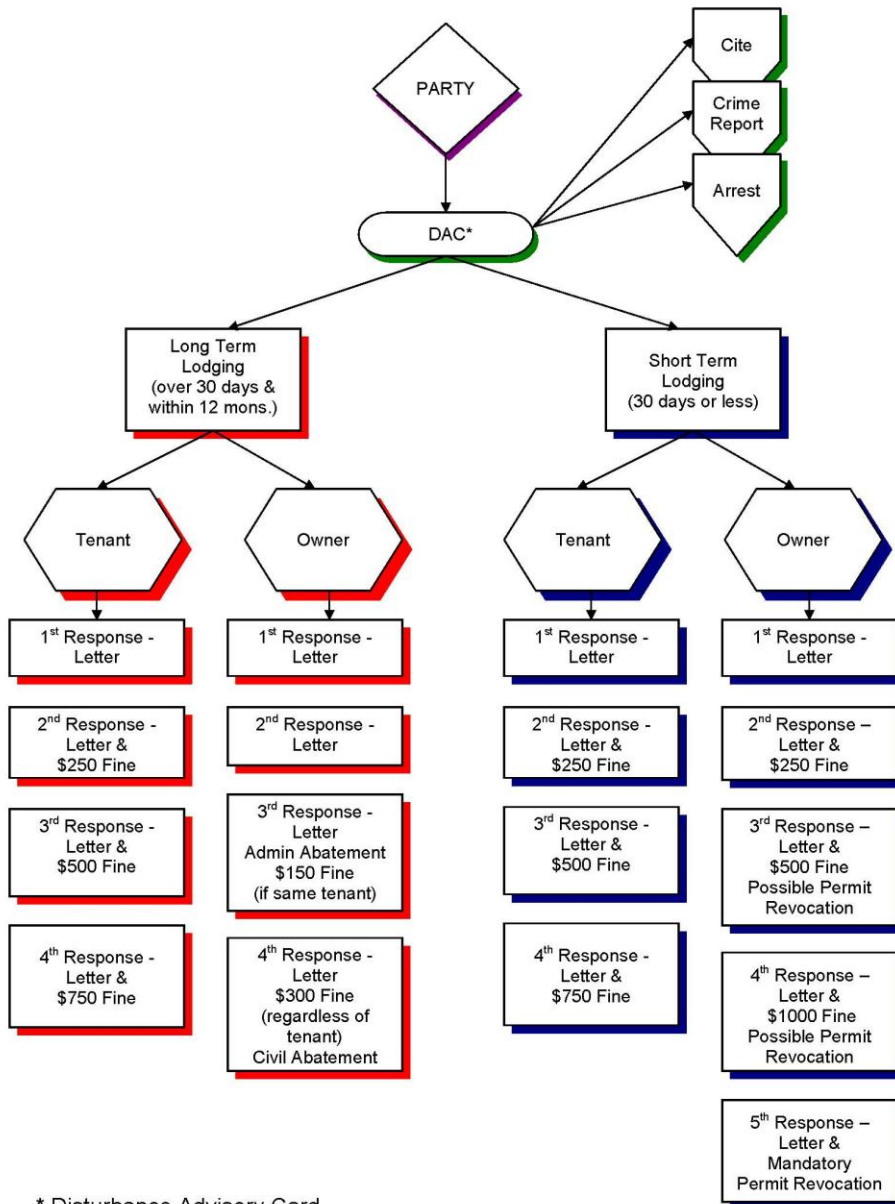
Disturbance Advisement Card ("DAC")

DISTURBANCE ADVISEMENT CARD						Cite / DR #	
Location of Occurrence					Apt	RD	Phone ()
Last Name, First Middle						<input type="checkbox"/> Owner <input type="checkbox"/> Tenant	
Drivers License		DOB	Sex	Desc	Hair	Eyes	Height
Permanent Address <input type="checkbox"/> Same As Above				City		Phone ()	
<input type="checkbox"/> Officer Obs <input type="checkbox"/> Radio Call		# Juveniles Present # Adults Present		<input type="checkbox"/> Founded <input type="checkbox"/> Unfounded		SSN	
RP's Name						Phone ()	
Rental Length <input type="checkbox"/> Over 30 Days <input type="checkbox"/> 30 Days or Less			Alcohol Present <input type="checkbox"/> Yes <input type="checkbox"/> No		Date & Time		
Property Owner				ADMIN USE ONLY:			Card ID

Disturbance Advisement Card

- Notice of Disturbance.
- Host is liable for \$250.00 fine or higher.
- If officers are required to return to restore order and keep the peace, Civil or Criminal Action may be taken.

Disturbance Advisement Card Process



- Officer's discretion
- Repeat complainants screened
- 2nd response with fine usually ends the problem
- Homeowners involvement greatly improve the success of our program

* Disturbance Advisory Card

Elements of Loud and Unruly Gathering Ordinance

- Loud or Unruly Gathering;
- Consists of eight or more persons;
- On any private residential property for a social occasion or other activity;
- Which loud and unruly conduct occurs and results in a nuisance; or
- A threat to the public health and safety, general welfare, or quiet enjoyment of residential and nearby properties.

Loud or Unruly Gathering

- Excessive Noise or Traffic
- Obstruction of public streets by crowds or vehicles;
- Obstruction of right of way by people or vehicles;
- Public drunkenness;
- The service of alcohol to Minors;
- Possession or consumption of alcohol by Minors;
- Assaults, batteries, fights, disturbance of the peace;
- Vandalism;
- Litter;
- Urinating or defecating in public.

Posting of LUGO Tag

- Peace Officer intervenes at Loud or Unruly Gathering
- Notices/ Posts LUGO Tag indicating:
 1. The intervention was necessary as a result of a public nuisance caused by a Loud or Unruly Gathering;
 2. Date of the intervention;
 3. Any subsequent Loud or Unruly Gathering within 90 days from the date of the posting will result in civil fines for all Responsible Person(s) or other persons present;
 4. Unlawful to remove, alter, tamper with or deface posted tag.
- Officer completes a crime report for the Ordinance violation.
- A notice is mailed to the property owner of record advising him/her of the posting and the appeals process.

Responsible Persons

1. Any person(s), including any business, company, or entity, who owns, rents, leases, or otherwise has control of the premises where a Loud or Unruly Gathering occurs; or
2. Any person(s) in charge of the premises where a Loud or Unruly Gathering occurs; or
3. Any person(s), including any business, company or entity, who organizes or sponsors a Loud or Unruly Gathering; or
4. Any person(s) who attends a Loud or Unruly Gathering and engages in loud or unruly conduct.

Enforcement

- Officer responds to the private residence;
- Observers the Loud or Unruly Gathering violation;
- Detains Responsible Person(s);
- Issues Administrative Citation resulting in civil fines;
- First violation fine is in the amount of \$500;
- Subsequent Loud or Unruly Gatherings within 90 days results in increased fine amounts;
- Fines are civil / administrative in nature;
- Only criminal penalty is if person removes, alters, tampers with, or defaces a posted notice without City permission.

Appeals Process

- A responsible person who is cited or the owner of the property that has been posted a notice under the proposed Ordinance may appeal the citation or posting.
- Appeal must be filed in writing within 30 days.
- Hearing before an Administrative Hearing Officer similar to how City's current administrative citations are handled.
- Chief of Police may grant appeal to property owner for removal of the LUGO Tag.



City of Newport Beach

Brian Contino

Code & Water Quality Enforcement Officer

What We Do

💧 Muni Code Enforcement

Trash

Storage

Garage Accessibility

💧 Water Quality Enforcement

Runoff from hoses or spouts

🚭 Cigarette Litter

Water Conservation



Code Enforcement Issues

WASTE & REFUSE ABATEMENT PROGRAM (WRAP)



City of Newport Beach Waste & Refuse Abatement Program

Each year in Newport Beach the amount of trash set out for curbside collection significantly increases during the summer months. Please help keep the city clean and free of loose trash, odors and flies by remembering to follow these simple steps:

- Store trash containers in a garage, trash enclosure, or side yard.
- Make sure garbage bags are durable and securely tied.
- Ensure that trash containers have lids on them at all times.
- Place trash containers out for collection no earlier than 7 p.m. on the day preceding pick up.
- Put trash containers away as soon as possible, but no later than 7 p.m. on collection day.



For more information on refuse collection requirements, visit: www.newportbeachca.gov
Help keep the city clean by reporting spilled or overflowing trash: www5.newportbeachca.gov/quest/

Code Enforcement (cont'd)

💧 Key points of WRAP

Supply rentals with sufficient containers



Cans must be stored in garage or along side yard. (NBMC 6.04.150).

Lids must be attached (NBMC 6.04.090)

WRAP fliers are available to for passing out.



Code Enforcement (cont'd)

- ✓ Garages and carports must be accessible for parking



- ✓ Keep clutter to a minimum

Water Quality

Prohibited discharge is a discharge containing any pollutant, from public or private property to the storm drain system or into any coastal harbor, bay, or the Pacific Ocean

14.36.030 No person shall, cause, allow or facilitate any prohibited discharge



No!

No!

No!



No Washing Down !!



Common Sources of Household Pollutants

- 💧 Washing down driveways, walkways and patios
- 💧 Washing cars
- ☠️ Using cleaning agents and forgetting to reclaim them
- ☠️ Pressure/Power washing
- ☠️ Paint
- 💧 Hosing down or outdoor showers



What can you do?

- 💧 Use a broom ***NOT*** the hose to clean patios and driveways.
- 💧 Instead of hosing sandy feet use a wash pan. Dump the old water into plants.
- 💧 Remove hoses from rentals
 - 💧 Replace with a plastic pan
 - 💧 And outdoor broom.



What can you do?

- 💧 Train your employees!
 - 💧 Cleaning crews will be held accountable for discharges
 - 💧 Pour cleaning agents into toilet, sink or bath tub
- 💧 Be careful! Drains in yards empty into the street and flow to the bay and ocean.



Who is Responsible?

- 💧 Everyone is responsible
- 💧 Property owner is ultimately responsible for property
- 💧 Employer of violator
- 💧 Person directly discharging (resident/renter)
- 💧 Yes! Tickets can be issued to everyone!



Enforcement

- \$100
- \$200
- \$500

NOTICE OF ADMINISTRATIVE CITATION

CITY OF NEWPORT BEACH
OFFICE OF THE CITY MANAGER
CODE AND WATER QUALITY ENFORCEMENT
3300 Newport Blvd.
Newport Beach, CA 92663
(949) 644-3215

Citation No. _____

Citation/Correction Date _____ Time _____

An inspection of the premises located at _____,
in the City of Newport Beach, revealed a violation(s) of the Newport Beach Municipal Code.

Name of owner or business:	_____
Address if different than violation:	_____ _____ _____

- ☐ 1ST. CITATION \$100.00..... **IS NOW DUE AND PAYABLE**
- ☐ THE NEXT LEVEL CITATION IS NOW PENDING AND YOU MAY BE CITED EACH DAY THE VIOLATION CONTINUES. OTHER ENFORCEMENT ACTION AND PENALTIES MAY ALSO RESULT IF COMPLIANCE IS NOT ACHIEVED OR IF YOU CONTINUE TO IGNORE THIS CITATION.
- ☐ 2ND. CITATION \$200.00..... **IS NOW DUE AND PAYABLE**
- ☐ 3RD. CITATION \$500.00..... **IS NOW DUE AND PAYABLE**

THIS VIOLATION(S) WAS ORIGINALLY BROUGHT TO YOUR ATTENTION ON _____, AND YOU HAVE NOT CORRECTED OR RESOLVED THE VIOLATION(S).

NEWPORT BEACH MUNICIPAL CODE SECTION(S):	DESCRIPTION OF VIOLATION(S):

**CORRECTION(S)
REQUIRED:** _____

RECEIPT ACKNOWLEDGED BY _____ DATE _____

SIGNATURE OF OFFICER	PRINT NAME OF OFFICER	ID#

VIOLATION(S) CLEARED AS OF _____ (DATE INSPECTED).
WHITE (Violation Copy) CANARY (Hearing Copy) PINK (Officer Copy)



Visitor Tips

Beach Friendly Tips

...a few tips to remember while enjoying your stay in Newport Beach

Residents, businesses, and visitors alike love Newport Beach because of its beautiful beaches, ocean and scenery. Help keep Newport Beach beautiful.

One of Newport Beach's goals is to reduce water runoff from properties. Runoff from properties comes from hoses, outdoor showers, sprinklers, and other discharge points. This waste water runs down the street and into drains that flow into the bay and ocean carrying trash, dirt, cigarettes, and other pollutants into our water ways.

How do I prevent this?

- Cigarette butts belong in the trash.
- Use a broom not a hose to clean patios and walkways.
- Rinse sandy feet in a wash pan outside the door.
- Take your car to a carwash that reclaims water.
- Be Water-Wise! If you wouldn't swim in it don't rinse it.
- Visit CleanWaterNewport.com

It's important to remember that Newport Beach has full time residents. We want you to enjoy your vacation but respect your neighbors too.

What should I do?

- Keep lids on trash cans.
- If your cans are too full call your rental agency and ask for more.
- Trash cans must be stored in a garage or a side yard until pickup.
- Keep garages and carports clear of accumulated items to make the best of available parking.

If you see a violation call the City of Newport Beach, (949)644-3215.
www.city.newport-beach.ca.us



- We have created a fact sheet to post in rental units
- Post the fact sheet next to the door, fridge, or phone



Be A Good Neighbor

- ☺ Be courteous to the community
- ☺ Remember that this is home to many residents who may endure nuisances associated with short term lodging
- ☺ Make this the best year yet !!

